

## EPA REGION 3 ENVIRO-BYTES

Issues & Events in EPA's Mid-Atlantic Region  
April 18, 2001

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\*\*\* TOXIC RELEASE INVENTORY NOW AVAILABLE

EPA has issued its annual Toxics Release Inventory (TRI), which provides detailed information on toxic chemical use and release. The TRI is based on yearly reports submitted to EPA and state agencies by companies and federal facilities within the industrial and manufacturing sectors. It serves as a monitor of toxic chemicals released at a company's location, treated, recycled or transferred elsewhere, along with pollution-prevention methods used. EPA's annual accounting of toxic industrial discharges shows that facilities in the agency's mid-Atlantic region cut toxic chemical releases by more than 50 percent since 1988 based on the original list of 644 toxic chemicals and chemical compounds. To access the TRI database on the Internet go to:

[http://www.epa.gov/enviro/html/tris/tris\\_query.html](http://www.epa.gov/enviro/html/tris/tris_query.html)

### MD MAN GETS YEAR AND \$20K FOR SELLING FALSE ASBESTOS CERTS

On April 9, a federal judge in Richmond, Va., sentenced Edwin J. "Tommy" Hayes of Maryland to one year and a day in jail and a \$20,000 fine for obstructing justice during the investigation of a scheme to sell fraudulent asbestos training certificates required under the Toxic Substances Control Act. Hayes had previously admitted during

his guilty plea in August 2000 that he had obstructed justice by advising a subject of a criminal investigation to "lose all your paperwork" and to "make sure it gets gone" when he knew EPA and the FBI were criminally investigating the unlawful sale of asbestos training certificates.

#### **TRUCKING COMPANY PERSONNEL GET JAIL TIME FOR FALSE RECORDS AND DUMPING**

The former owner of an Easton, Pa., trucking firm and his head mechanic have been sentenced to jail terms and fined for conspiracy, falsifying inspection results, and discharging hazardous materials into the Easton sewer system. Robert Schippers, of Easton, Pa., who owned and operated Schippers Service in Easton, was sentenced April 10 to two years in jail, three years supervised release and fined \$5,000. Robert Padula, of Wind Gap, Pa., who Schippers employed as chief mechanic until November, 1995, was sentenced to 10 months confinement and three years of supervised release.

#### **EPA SETTLES PENNSYLVANIA WETLAND VIOLATION**

On April 6, EPA filed a consent agreement and final order settling its claims against George Grassie of Tobyhanna, Pa. who had filled in a stream channel and its adjacent wetlands in order to create a recreational pond. The settlement provides for full restoration of the approximately 1.5-acre area impacted, enhancement of areas adjacent to the impacted area, and payment of a cash penalty in the amount of \$4,000.

#### **ADMINISTRATOR WHITMAN ANNOUNCES 2002 BUDGET REQUEST**

On April 9, Administrator Whitman held a press conference to announce the President's FY 2002 budget request of \$7.3 billion for EPA. The request is \$56 million more than the FY 2001 request but \$499 million less than the FY 2001 enacted budget, since it does not include earmarks added in by Congress. The budget request contains \$3.3 billion in grants for states and tribes which includes \$2.1 billion for state water infrastructure needs and two new \$25 million state grant programs, one for state enforcement efforts and one for environmental information systems.

#### **EPA LOOKS INTO DRUMS WASHING UP FROM POTOMAC**

EPA is responding to reports from the National Park Service that dozens of blue plastic drums have washed up on islands in the Potomac River in the vicinity of Great Falls Park, and at points upstream, northwest of Washington, D.C. EPA conducted an aerial reconnaissance on April 12, with the National Park Service followed by a drum-by-drum inventory by boat on April 13.

## **MD FAILS TO PASS "STANDING" LEGISLATION**

The Maryland Senate failed to act on a bill that would provide adequate standing for citizens file lawsuits challenging Title V operating permits for facilities that discharge air emissions. The 2001 legislative session ended April 9, and will not reconvene until January 2002. Because the Senate did not pass standing language that will meet minimum federal requirements, the Maryland Department of the Environment cannot correct all deficiencies identified in their permitting program, by EPA. EPA is bound under a lawsuit settlement to review and approve/disapprove Maryland's program by December 1, 2001. If EPA does not grant Maryland full approval by December 2001, the Clean Air Act and 40 CFR part 71 requires that a federal operating permit program be implemented in Maryland by operation of law.

## **DOE STATS SHOW ALARMING ENERGY CONSUMPTION**

According to the recently published U.S. Department of Energy Annual Energy Outlook 2001, energy consumption in the U.S. is increasing at a rate of 1.3 percent a year. This rate is even higher for the transportation sector. By the year 2010, energy consumption will have increased about 30 percent over 1990 levels; by 2020, the increase will be about 47 percent in a business as usual scenario. Without voluntary energy conservation and renewable energy programs the energy consumption rate would actually be about 2.1 percent a year. These voluntary programs have slowed the growth rate but have not been able to stop or reverse it.

## **EPA APPROVES MULTIPLE TMDLS FOR PA**

EPA has approved 43 reports representing total maximum daily loads for 66 impaired waters on the 1996 303(d) list, and more than 100 waters on the 1998 and draft 2000 303(d) lists. These TMDLs determine the pollution reduction needs for polluted waters throughout the Commonwealth and provide a quantifiable goal for determining watershed restoration needs. Proposals requesting over \$1,833,000 have been submitted for funding to conduct restoration work in the watersheds where these TMDLs were developed. EPA expects to provide funding in time for implementation work to begin by late spring. To date, EPA Region 3 has approved over 690 individual TMDLs required under the various lawsuit settlements since December 2000: 60 in Delaware, 164 in Pennsylvania, 25 in Virginia, 17 in Maryland, and 427 in West Virginia.

#### **\$1.4 MILLION AWARDED TO DC TO CONTROL WATER POLLUTION**

EPA will award \$1.4 million to the District of Columbia to fund work for the control of nonpoint source (NPS) pollution in the waterways. The award supports their NPS program for FY 2001 and requires a 40 percent match that will bring the total award to \$2.4 million. The recently approved NPS Management Plan will provide a road map that will guide the District's ongoing efforts. Specific work will focus on priority sections of the Anacostia River including Watts Branch, Hickey Run, and Kingman Island. New Measurable Environmental Results are now clearly identified for all NPS projects.

#### **EPA AWARDS DRINKING WATER GRANT TO DELAWARE**

On April 9, the Delaware Department of Health and Social Services received approval from EPA for a \$517,060 grant to support of the state's drinking water program. Specifically, the grant award will assist over 500 public water systems serving almost 700,000 people to comply with the Safe Drinking Water Act by providing technical assistance, operator training, field surveillance, laboratory certification, and information to water system owners about new regulatory responsibilities. DHSS also maintains a data management system and initiates enforcement actions against public water suppliers who fail to comply with state and federal regulations. The state of Delaware also contributes over a half million dollars to this effort.

#### **SOLID WASTE GRANT AIDS RECYCLING BUSINESSES IN DELAWARE**

Delaware's Green Industries Office received a 1998 Solid Waste Program grant through EPA's Jobs Through Recycling program to fund the salary of a Recycling and Economic Development Advocate. The REDA is employed in the Delaware Economic Development Office. The primary goal for this REDA is to assist in efforts to expand construction and demolition debris recycling.

#### **MIDDLETOWN, DE COMPANY SETTLES WASTE VIOLATIONS**

On March 30, Johnson Controls Battery Group Inc. settled an EPA complaint over violations of federal hazardous waste laws at its Middletown, De. facility and will pay \$22,297. In a September 2000 complaint, EPA cited Johnson Controls for violating the federal law governing the treatment, storage, and disposal of hazardous waste. A joint inspection by EPA and Delaware Department of Natural Resources in August 1999 documented violations of hazardous waste storage regulations.

Alleged violations included failure to obtain a storage permit; improper storage of hazardous materials such as lead, hydrobromic acid, and spent mercury-containing fluorescent lamps; and inadequate aisle space for access by emergency response personnel.

#### **PARTNERSHIP FOR DELAWARE ESTUARY GETS GOVERNOR'S AWARD**

Delaware Governor Ruth Ann Minner will present the Delaware Estuary Partnership with the Governor's Conservation Award for Urban Conservation. The award recognizes excellence in urban conservation activities deemed by the Governor as exemplary in their design and execution and beneficial to all the citizens of Delaware. The Partnership was nominated for this award by the New Castle Conservation District, a partner in the Corporate Environmental Stewardship Program which was initiated through EPA funds. The award presentation is scheduled for April 25 at 11 a.m. in Dover.

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